

# EXHIBIT A

# EXHIBIT A

## DISTRICT COURT CIVIL COVER SHEET

County, Nevada

A- 15- 713351- C

Case No. ....

(Assigned by Clerk's Office)

IX

**I. Party Information** (provide both home and mailing addresses if different)

Plaintiff(s) (name/address/phone):  RITA COLON	Defendant(s) (name/address/phone):  COMMUNITIES IN SCHOOLS OF NEVADA, INC.
Attorney (name/address/phone):  JOSHUA M. SANTERAMO, ESQ.  SCHEUTZE & McGAHA, P.C.  601 S. Rancho Drive, Suite C-20  Las Vegas, Nevada 89106	Attorney (name/address/phone):

**II. Nature of Controversy** (please select the one most applicable filing type below)**Civil Case Filing Types**

Real Property	Torts	
<b>Landlord/Tenant</b> <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant <b>Title to Property</b> <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property <b>Other Real Property</b> <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	<b>Negligence</b> <input type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence <b>Malpractice</b> <input type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice	<b>Other Torts</b> <input type="checkbox"/> Product Liability <input type="checkbox"/> Intentional Misconduct <input checked="" type="checkbox"/> Employment Tort <input type="checkbox"/> Insurance Tort <input type="checkbox"/> Other Tort
Probate	Construction Defect & Contract	Judicial Review/Appeal
<b>Probate</b> (select case type and estate value) <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside <input type="checkbox"/> Trust/Conservatorship <input type="checkbox"/> Other Probate <b>Estate Value</b> <input type="checkbox"/> Over \$200,000 <input type="checkbox"/> Between \$100,000 and \$200,000 <input type="checkbox"/> Under \$100,000 or Unknown <input type="checkbox"/> Under \$2,500	<b>Construction Defect</b> <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect <b>Contract Case</b> <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Building and Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Collection of Accounts <input type="checkbox"/> Employment Contract <input type="checkbox"/> Other Contract	<b>Judicial Review</b> <input type="checkbox"/> Foreclosure Mediation Case <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency <b>Nevada State Agency Appeal</b> <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Other Nevada State Agency <b>Appeal Other</b> <input type="checkbox"/> Appeal from Lower Court <input type="checkbox"/> Other Judicial Review/Appeal
Civil Writ	Other Civil Filing	
<b>Civil Writ</b> <input type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrant	<b>Other Civil Filing</b> <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Other Civil Matters	

*Business Court filings should be filed using the Business Court civil cover sheet.*February 3, 2015

Date

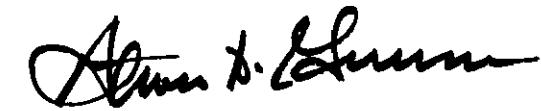
Signature of initiating party or representative

*See other side for family-related case filings.*

Criminal

1 WILLIAM W. McGAHA, ESQ.  
2 Nevada Bar #3234  
3 JOSHUA SANTERAMO, ESQ.  
4 Nevada Bar #12086  
5 SCHUETZE & McGAHA, P.C.  
6 601 S. Rancho Drive, Suite C-20  
7 Las Vegas, Nevada 89106  
8 Fax: (702) 369-2110  
9 Attorneys for Plaintiff

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CLERK OF THE COURT

CLERK VIVIAN A. CANELA  
\$ 270.00 CHECK# 19918

6 DISTRICT COURT

7 CLARK COUNTY, NEVADA

8 RITA COLON, an individual

Case No: A- 15- 713351- C

9 Plaintiff,

IX

10 vs.

COMPLAINT FOR:

11 COMMUNITIES IN SCHOOLS OF  
12 NEVADA, INC., a Domestic Corporation;  
13 DOES I through X inclusive, and ROES  
14 CORPORATIONS XI through XX,  
15 inclusive,

1. Retaliation in Violation of the Nevada Industrial Insurance Act;
2. Discrimination in Violation of Title VII of the Civil Rights Act of 1964 (as amended), and the American With Disabilities Act (ADA);
3. Retaliation in Violation of the ADA;
4. Discrimination and Retaliation In Violation of NRS 613.330, et. al;

16 Defendants.

17 [DEMAND FOR JURY TRIAL]

18  
19 COMES NOW, Plaintiffs, RITA COLON, by and through her attorneys of record,  
20 WILLIAM W. McGAHA, ESQ., and JOSHUA SANTERAMO, ESQ., of the law offices of  
21 SCHUETZE & McGAHA, P.C., and for causes of action against Defendants, and each of  
22 them, allege as follows:

23 I.

24 PARTIES

25 1. Rita Colon ("Plaintiff") was an individual employed by Communities in Schools  
26 of Nevada, Inc. ("CISN"). Plaintiff is, and was at all times during her employment with CISN  
27 a resident of the County of Clark, State of Nevada.

28 ///

1           2.     Defendant CISN was and is a corporation doing business in the County of Clark,  
2 State of Nevada. CISN's main office was and is located at 3883 Howard Hughes Parkway,  
3 Suite 1100, Las Vegas, Nevada 89169.

3. Upon information and belief, and at all times relevant hereto, the identities of the  
Defendants named and/or fictitiously named as DOES I through X and ROES  
CORPORATIONS XI and XX, are all entities doing business as CISN, and/or other names,  
and each of them were individuals, partnerships, companies, corporations, or other entities  
that by reason of such relationships with Defendants, and each of them, are jointly and  
severally responsible and liable for the damages alleged herein. The true names and  
capacities whether individual, corporate, associate or otherwise of Defendants DOES I through  
X and ROES CORPORATIONS XI and XX, inclusive, are unknown to Plaintiff, who therefore  
sues said Defendants by such fictitious names. Plaintiff is informed and believes and  
therefore, alleges that each Defendant herein designated as a DOE or ROE is legally  
responsible in some manner for the events and happenings herein referred to and proximately  
caused the injury and damages alleged herein. Plaintiff is informed and believes and thereon  
alleges that DOES I through X and ROES CORPORATIONS XI and XX, inclusive, are  
residents and citizens of the State of Nevada or are corporations doing business in the State  
of Nevada. Plaintiff is informed and believes and thereon alleges that Defendants participated  
in, ratified and/or condoned the acts complained of in Plaintiff's Complaint and the subject  
matters of this action. Therefore, Plaintiff requests leave of the Court to amend this Complaint  
to name the Defendants specifically when their true identities become known.

11

## **FACTUAL ALLEGATIONS**

24 4. During the time material to this Complaint, Plaintiff was employed as a Site  
25 Coordinator for CISN and had been an employee since August 4, 2014.

26 5. Plaintiff was offered a full-time position at a salary of \$36,000.00 per year with  
27 a \$600.00 cell phone allowance per year.

28 //

1       6.     On September 25, 2014, Plaintiff was injured while on the job. While directing  
2 traffic outside of Diaz Elementary School, she tripped and fell onto her left side.

3       7.     That same day Plaintiff was transported by ambulance to Sunrise Hospital and  
4 Medical Center where she complained of left wrist pain, left hip pain, left knee pain, and left  
5 ankle pain from a ground-level fall. Sunrise Hospital confirmed contusions to the hip, ankle,  
6 knee, and wrist.

7       8.     Sunrise Hospital excused Plaintiff from work through Friday, September 26, 2014  
8 and told her to follow up with a primary care doctor.

9       9.     On September 26, 2014, Plaintiff attempted to follow up with her primary care  
10 provider but was informed that she would need to see a different doctor if it was a workman's  
11 compensation related injury.

12       10.    On September 27, 2014, Plaintiff contacted Valerie Kimball (State Operations  
13 Director) for CISN by email and reported that her doctor's appointment needed to be  
14 rescheduled and that she could not be seen on Friday. Plaintiff also mentioned that she  
15 wanted to write a statement regarding the injury and informed Kimball that a C-4 form would  
16 be faxed by the hospital to CISN. Plaintiff indicated she would follow up with medical care on  
17 September 29, 2014.

18       11.    On September 29, 2014, Kimball responded to Plaintiff's previous email,  
19 thanking her for the communication and informing her that Brandon LNU is completing a report  
20 for which Plaintiff will provide a statement regarding her injury.

21       12.    That same day Plaintiff attempted to treat at Concentra but was turned away.  
22 She was told that the employer needed to initiate the workman's compensation claim before  
23 she could be seen.

24       13.    Later that day, Plaintiff informed Kimball that she would be seen by a workman's  
25 compensation doctor on September 30, 2014 at 9:30 am.

26       14.    On September 30, 2014, Plaintiff was evaluated at Concentra Medical Center.  
27 She was diagnosed with lumbar strain, shoulder/upper arm strain, elbow/forearm strain,  
28 thigh/hip sprain, knee/leg sprain, ankle sprain, and foot sprain. She was provided a back brace

1 and large knee brace. She was to return for reevaluation on October 3, 2013. The report  
2 also made clear under "Activity Status" that Plaintiff was to have "No activity." A Physicians  
3 Work Activity Status Report provided to Defendant and its insurer, Employers Insurance  
4 Company of Nevada, also confirmed Plaintiff was to have no activity.

5 15. Plaintiff contacted CISN following her appointment with Concentra and informed  
6 CISN that she was told to remain out of work and that she was in a knee brace, back brace,  
7 and using a cane. Plaintiff's mother-in-law, Luci, also provided the aforementioned Activity  
8 Status Report to CISN.

9 16. On Friday, October 3, 2014, Kimball confirmed receipt of Luci's email and the  
10 Concentra report and asked for a copy of the follow up report when received.

11 17. That same day, Plaintiff's mother-in-law contacted Kimball and informed her that  
12 the October 3<sup>rd</sup> appointment was rescheduled because Plaintiff was in pain and unable to  
13 move well. This caused difficulties in transporting her and the appointment was rescheduled  
14 for Monday, October 6, 2014.

15 18. On October 6, 2014, Plaintiff was reevaluated at Concentra Medical Center. Her  
16 diagnosis remained the same. Concentra authored another Physician Work Activity Status  
17 Report that under "Patient Status" stated "No Activity." The status also indicated that Plaintiff  
18 had to use a cane and knee brace. A follow up visit was scheduled for October 9, 2014.

19 19. That day, Plaintiff also received correspondence dated October 2, 2014 that her  
20 workman's compensation case was being denied because of an inability to determine that her  
21 injuries were work related.

22 20. On October 7, 2014, Kimball followed up with Plaintiff for a status regarding the  
23 October 6<sup>th</sup> doctor's visit.

24 21. In response, Plaintiff provided a copy of this Activity Status Report from October  
25 6<sup>th</sup>. Plaintiff also informed Kimball that she received notice that her workman's compensation  
26 claim had been denied. She asked Kimball for help with an appeal.

27 22. Thereafter, Plaintiff called a representative, Cary Ferguson, for the Defendant's  
28 insurer, who stated that CISN's Human Resources Department claimed that Plaintiff's injury

1 was not work related.

2 23. On October 7, 2014, Kimball requested more details regarding the October 6<sup>th</sup>  
3 Status Report and return to work status.

4 24. Plaintiff replied stating that she would contact her doctor regarding more details,  
5 but that she understood she would be out for at least a week and needed to make an  
6 appointment with a specialist. Plaintiff also informed Kimball that she had a follow up  
7 appointment scheduled for Thursday, October 9<sup>th</sup>.

8 25. That same day, Plaintiff contacted Concentra for additional information regarding  
9 her return to work status. Concentra informed Plaintiff that if the employer required a more  
10 detailed Activity Status Report, the employer needed to contact Concentra regarding what  
11 additional specifics are necessary.

12 26. Thereafter, Plaintiff contacted Kimball and informed her that she would need to  
13 follow up with Concentra if additional information was necessary.

14 27. On October 9, 2014, Plaintiff attempted to go to her next appointment with  
15 Concentra but was turned away because the workman's compensation case was denied.

16 28. On October 10, 2013, Kimball called Plaintiff and told her that she was being  
17 terminated for filing a workman's compensation claim, that Plaintiff should not have filed the  
18 claim, and that the claim will cost CISN financially. Plaintiff was informed that she had  
19 "abandoned work" and would be terminated effective immediately.

20 29. Thereafter, Kimball emailed Plaintiff claiming that the only documentation she  
21 had regarding Plaintiff's condition shows that she was to return to work on Monday, September  
22 29<sup>th</sup>.

23 30. Plaintiff still had an apple laptop and two books in her workplace filing cabinet  
24 that she requested to have her father pick up for her.

25 31. In response to Plaintiff's request for her personal property, Kimball emailed  
26 Plaintiff claiming that CISN representatives attempted to retrieve the property but that the  
27 items could not be located. Kimball then cited to a portion of the employee handbook  
28 disclaiming responsibility for the lost items. Plaintiff and her family were also banished from

1 entering the premises to look for the property themselves.

2 32. On October 16, 2014, Plaintiff was evaluated at Southwest Medical Associates  
3 Urgent Care. This was the first date that she was released to light duty work. Plaintiff could  
4 have completed her job duties on a light duty basis had she remained employed.

5 33. On November 6, 2014, Plaintiff filed a charge of discrimination with the U.S.  
6 Equal Employment Opportunity Commission, Las Vegas Local Office and the Nevada Equal  
7 Rights Commission alleging violations of disability harassment and discrimination under the  
8 ADA, and retaliation. Plaintiff was issued a Notice of Right to Sue. Please see attached  
9 "Exhibit 1", Notice of Right to Sue.

10 34. On December 2, 2014, CISN, through counsel, provided a copy of Plaintiff's  
11 employee file.

12 35. The file contained an exit interview document signed by Kimball on October 10<sup>th</sup>  
13 but unsigned by Plaintiff, indicating that Plaintiff would not be eligible for rehire and was  
14 terminated for "attendance."

15 36. The file also contained an October 1, 2014 letter signed by Brandon LNU for  
16 CISN but unsigned by Plaintiff, alleging various "Professional Conduct" issues that Plaintiff  
17 had. Plaintiff disputes the veracity of the allegations, which were not documented until after  
18 her injury.

19 37. The file is devoid of any disciplinary documentation or evaluations prior to the  
20 time of Plaintiff's injury.

21 38. Defendant CISN has also threatened Plaintiff and her family with litigation in an  
22 effort to intimidate her from pursuing her legal claims.

23 39. On December 3, 2014, the State of Nevada Department of Administration  
24 Hearings Division reversed Defendant's insurer's denial of Plaintiff's workman's compensation  
25 claim.

26 40. As a result of her termination and initial denial of her workman's compensation,  
27 Plaintiff has suffered lost wages and other financial harm, emotional distress and depression,  
28 and had her treatment significantly delayed.

1 III.  
2

**FIRST CAUSE OF ACTION**

3 **(Retaliation In Violation of the Nevada Industrial Insurance Act)**

4 40. Plaintiff repeats and re-alleges every allegation made in the paragraphs above,  
5 as though set forth fully herein.

6 41. The Nevada Supreme Court has recognized a cause of action for "tortious  
7 discharge," which arises out of the employer-employee relationship but is not dependent on  
8 a contract of continued employment. The essence of a tortious discharge is the wrongful,  
9 usually retaliatory, interruption of employment by means which are deemed to be contrary to  
10 the public policy of this state. D'Angelo v. Gardner, 107 Nev. 704 (Nev. 1991).

11 42. That the Nevada Supreme Court has also recognized a cause of action for  
12 "tortious discharge" in violation of public policy when an employee is retaliated against by an  
13 employer for pursuing his or her rights under the Nevada Industrial Insurance Act. Hansen v.  
14 Harrah's, 100 Nev. 60 (Nev. 1984).

15 43. Defendant CISN retaliated against Plaintiff in violation of the Nevada Industrial  
16 Insurance Act by taking adverse employment action against Plaintiff, including but not limited  
17 to fabricating misconduct allegations, terminating her employment, refusing to return her  
18 personal property, and threatening her with litigation to intimidate her from pursuing legal  
19 remedies.

20 44. As a direct and proximate result of Defendants' unlawful, discriminatory conduct,  
21 Plaintiff suffered financial harm, lost wages, loss of earning capacity, loss of employment, and  
22 severe physical and emotional distress for which she claims all available categories of  
23 damages, including compensatory and punitive damages from Defendant(s).

24 45. The above described acts of Defendant(s) were intentional, deliberate, willful,  
25 malicious, reckless and done with a conscious disregard for the harm caused to Plaintiff and  
26 her protected rights, and justify punitive damages.

27 46. Plaintiff is entitled to all legal and equitable remedies available under D'Angelo  
28 v. Gardner, 107 Nev. 704 (Nev. 1991), the Nevada Industrial Insurance Act, Hansen v.

1 Harrah's, 100 Nev. 60 (Nev. 1984) and its corresponding case line, as a result of the retaliation  
2 suffered as a direct result of Defendants' conduct.

3 47. As a further result of Defendant(s) above described actions, Plaintiff has been  
4 required to obtain the services of an attorney to prosecute this action, and is therefore entitled  
5 to reasonable attorney's fees and costs.

6 **IV.**

7 **SECOND CAUSE OF ACTION**

8 **(Unlawful Employment Practices: Discrimination  
9 on the Basis of Disability Against the Defendant Employer)**

10 48. Plaintiff repeats and re-alleges every allegation made in the paragraphs above,  
11 as though set forth fully herein.

12 49. Plaintiff belongs to the class of individuals protected by Title I of the Americans  
13 with Disabilities Act (ADA).

14 50. Under the ADA and applicable laws cited herein, Defendant CISN has a duty to  
15 not treat an applicant or employee less favorably because she has a history of a disability, or  
16 because she is believed to have a physical or mental impairment. The law requires an  
17 employer to provide reasonable accommodations to an employee or job applicant with a  
18 disability, unless doing so would cause significant difficulty or expense for the employer  
19 ("undue hardship"). Further, the law forbids discrimination when it comes to any aspect of  
20 employment, including hiring, firing, pay, job assignments, promotions, layoff, training, fringe  
21 benefits, and any other term or condition of employment. Plaintiff has the same rights in every  
22 State, among other things, to the full and equal benefit of the laws and proceedings for the  
23 security of persons and property as enjoyed by all citizens, and shall, among other things, be  
24 subject to like exactions of every kind, and to no other.

25 51. That Plaintiff suffered from a covered disability in one (or all) of three ways:

26 (a) Plaintiff was disabled by way of a physical condition that substantially  
27 limited a major life activity, including walking, standing, working, and  
28 carrying;

(b) Plaintiff has a medically documented physical disability related to her back, hip and leg; and

(c) Plaintiff has suffered from a physical disability that lasted more than six months and was not minor in nature, ultimately requiring surgical intervention.

52. That Defendant CISN also regarded Plaintiff has having said disability.

7 53. That Plaintiff placed CISN on notice in September 2014 of her injuries and  
8 disability, and provided corroborating documentation from she was under care of a physician.

9 54. That once put on notice of Plaintiff's injury, CISN failed to engage Plaintiff in any  
10 sort of formal or informal interactive process as required under the ADA and applicable laws  
11 cited herein to clarify what her individual needs were, and identify appropriate  
12 accommodations that would be necessary during the pendency of his injury and disability.

13 55. That instead, CISN terminated Plaintiff and refused to provide any  
14 accommodations under the pretext that Plaintiff "abandoned work."

15 56. That CISN could have allowed Plaintiff to work with reasonable accommodations  
16 that would not have caused an undue hardship had it engaged Plaintiff in an interactive formal  
17 or informal process, including providing time off and light duty accommodations, which were  
18 approved by October 16, 2014.

19 57. That CISN has taken it upon itself to state that Plaintiff is ineligible for a rehire  
20 even if she is released to full duty and made this determination on October 10<sup>th</sup>, the day of  
21 Plaintiff's termination.

22 58. That CISN was fully aware of Plaintiff's course of treatment and that she was to  
23 have no activity until October 16<sup>th</sup>, but failed to maintain Plaintiff's employment position or a  
24 reasonable alternative position so that she could return to work.

25 59. Plaintiff timely filed charges of discrimination with the Equal Employment  
26 Opportunity Commission (EEOC) against CISN alleging discrimination and harassment based  
27 on disability.

1 60. The conduct of CISN described in this Complaint constitutes unlawful  
2 discrimination in violation of the Americans with Disabilities Act (ADA).

3 61. As a direct and proximate result of CISN's unlawful, discriminatory conduct,  
4 Plaintiff suffered financial harm, lost wages, loss of earning capacity, loss of employment, and  
5 severe physical and emotional distress for which she also claims compensatory and punitive  
6 damages. The above described acts of CISN were intentional and done with a conscious  
7 disregard for Plaintiff's protected rights.

8       62.    As a further result of CISN's above described actions, Plaintiff has been required  
9 to obtain the services of an attorney to prosecute this action, and is therefore entitled to  
10 reasonable attorney's fees and costs.

vi

### THIRD CAUSE OF ACTION

### **(Retaliation in Violation of the ADA)**

15       64. Defendant CISN retaliated against Plaintiff in violation of the ADA by taking  
16 adverse employment action against Plaintiff, including but not limited to fabricating misconduct  
17 allegations, terminating her employment, refusing to return her personal property, and  
18 threatening her with litigation to intimidate her from pursuing legal remedies.

19       65. As a direct and proximate result of Cove Electric's unlawful, discriminatory  
20 conduct, Plaintiff suffered financial harm, lost wages, loss of earning capacity, loss of  
21 employment, and severe physical and emotional distress for which she claims all available  
22 damages, including compensatory and punitive damages from Defendant(s).

23       66. The above described acts of Defendant(s) was intentional, deliberate, willful,  
24 malicious, reckless and done with a conscious disregard for the harm caused to Plaintiff and  
25 his protected rights, and justify punitive damages.

26 Plaintiff is entitled to all legal and equitable remedies available under the ADA  
27 as a result of the retaliation suffered as a direct result of CISN's conduct.

68. CISN retaliated against Plaintiff because Plaintiff opposed that which she reasonably and in good faith believed to be unlawful discrimination in her employment.

3       69. As a further result of Defendant(s) above described actions, Plaintiff has been  
4 required to obtain the services of an attorney to prosecute this action, and is therefore entitled  
5 to reasonable attorney's fees and costs.

VI.

## **FOURTH CAUSE OF ACTION**

## **(Disability Discrimination, and Retaliation Pursuant to NRS 613.330, et. al)**

9       70. Plaintiff repeats and re-alleges every allegation made in the paragraphs above,  
10 as though set forth fully herein.

11       71. The above discrimination, harassment and retaliatory termination by Defendant  
12 constitutes unlawful discriminatory employment practices under the Nevada Equal  
13 Employment Opportunity Act, NRS 633.310 et seq.

14 72. As a direct and proximate result of Defendant's discriminatory acts, Plaintiff has  
15 suffered and shall continue to suffer monetary damages for the loss of income, false  
16 accusations, mental anguish and violation of her rights unless and until the Court grants relief.

17 73. Plaintiff has had to engage the services of attorneys to represent her in this  
18 matter and is entitled to an award of reasonable attorney's fees.

**WHEREFORE**, Plaintiffs request relief as follows:

1. Back pay, front pay, benefits, statutory and other recoverable damages as allowed by all applicable laws cited herein;
2. Injunctive relief prohibiting future retaliation and enjoining present discrimination;
3. Punitive damages;
4. Attorney's fees and costs pursuant to all applicable laws cited herein;
5. For past and future damages in excess of \$10,000.00;

11

11

111

6. For pre-judgment and post-judgment interests; and
7. For such other and further relief as the Court deems proper.

**DATED** this 3 day of February, 2015.

**SCHUETZE & MCGAHA, P.C.**

Bv

~~WILLIAM W. McGAHA, ESQ.~~

Nevada Bar #3234

**JOSHUA SANTERAMO, ESQ.**

Nevada Bar #12086

601 S. Rancho Drive, Suite  
100, Las Vegas, Nevada 89102

## Las Vegas, Nevada

# EXHIBIT 1

## U.S. EQUAL OPPORTUNITY COMMISSION

## DISMISSAL AND NOTICE OF RIGHTS

To: Rita Colon  
Po Box 26812  
Las Vegas, NV 89126

From: Las Vegas Local Office  
333 Las Vegas Blvd South  
Suite-8112  
Las Vegas, NV 89101



*On behalf of person(s) aggrieved whose identity is  
CONFIDENTIAL (29 CFR §1601.7(a))*

EEOC Charge No.

EEOC Representative

Telephone No.

487-2015-00107

Robert Holmes,  
Investigator

(702) 388-5013

## THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

- The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.
- Your allegations did not involve a disability as defined by the Americans With Disabilities Act.
- The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.
- Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge
- The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.
- The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.
- Other (briefly state)

## - NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

**Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act:** This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

**Equal Pay Act (EPA):** EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.

On behalf of the Commission

NOV 06 2014

Amy Burkholder,  
Local Office Director

Enclosures(s)

(Date Mailed)

cc:

CIS COMMUNITIES IN SCHOOLS OF NEVADA  
ATTN: Human Resources Director  
3720 Howard Hughes Parkway  
Las Vegas, NV 89169

1 IAFD  
2 JOSHUA M. SANTERAMO, ESQ.  
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8 JAMS@smlvlaw.net

9  
10 Attorneys for Plaintiff  
11  
12  
13  
14  
15

DISTRICT COURT

CLARK COUNTY, NEVADA

16 RITA COLON, an individual

CASE NO:  
DEPT NO:

17 Plaintiff,

18 vs.

19 COMMUNITIES IN SCHOOLS OF  
20 NEVADA, INC., a Domestic Corporation;  
21 DOES I through X inclusive, and ROES  
22 CORPORATIONS XI through XX,  
23 inclusive,

24 Defendants.

25 INITIAL APPEARANCE FEE DISCLOSURE

26 Pursuant to N.R.S. 19, as amended by Senate Bill 106, filing fees are submitted for  
27 parties appearing in the above entitled action as indicated below:

28 Plaintiff RITA COLON \$270.00

TOTAL REMITTED \$270.00

DATED this 3 day of February 2015.

SCHUETZE & McGAHA, P.C.

By

JOSHUA M. SANTERAMO, ESQ.  
Nevada Bar #12086  
601 S. Rancho Drive, Suite C-20  
Las Vegas, Nevada 89106  
Attorney for Plaintiff

1 **SUMMS**  
2 JOSHUA M. SANTERAMO, ESQ.  
3 Nevada Bar #12086  
4 **SCHUETZE & McGAHA, P.C.**  
5 601 S. Rancho Drive, Suite C-20  
6 Las Vegas, Nevada 89106  
7 (702) 369-3225  
8 JMS@smlvlaw.net

*Adam D. Summ*  
CLERK OF THE COURT

9  
10 Attorneys for Plaintiff  
11

12 **DISTRICT COURT**  
13  
14 **CLARK COUNTY, NEVADA**

15 RITA COLON, an individual

CASE NO: *A-15-713351-C*  
DEPT NO: *IX*

16 Plaintiff,

17 vs.

18 COMMUNITIES IN SCHOOLS OF  
19 NEVADA, INC., a Domestic Corporation;  
20 DOES I through X inclusive, and ROES  
21 CORPORATIONS XI through XX,  
22 inclusive,

23 Defendants.

24 **SUMMONS**

25 **NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU WITHOUT  
26 YOUR BEING HEARD UNLESS YOU RESPOND WITHIN 20 DAYS. READ THE INFORMATION  
27 BELOW.**

28 **TO THE DEFENDANT: A civil Complaint has been filed by the plaintiff against you for the  
relief set forth in the Complaint.**

29 **COMMUNITIES IN SCHOOLS OF NEVADA, INC., a Domestic Corporation**

30 1. If you intend to defend this lawsuit, within 20 days after this Summons is served on you  
31 exclusive of the day of service, you must do the following:

32 a. File with the Clerk of this Court, whose address is shown below, a formal written  
33 response to the Complaint in accordance with the rules of the Court.

34 b. Serve a copy of your response upon the attorney whose name and address is shown  
35 below.

36 2. Unless you respond, your default will be entered upon application of the plaintiff and this  
37 Court may enter a judgment against you for the relief demanded in the Complaint, which could result in the  
38 taking of money or property or other relief requested in the Complaint.

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2       3. If you intend to seek the advice of an attorney in this matter, you should do so promptly so  
that your response may be filed on time.

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4       4. The State of Nevada, its political subdivisions, agencies, officers, employees, board  
members, commission members and legislators, each have 45 days after service of this Summons within  
which to file an answer or other responsive pleading to the Complaint.

5       Issued at the direction of:

6  
7       JOSHUA M. SANTERAMO, ESQ.  
8       Nevada Bar No. 12086  
9       SCHUETZE & McGAHA  
10      601 S. Rancho Drive, Suite C-20  
11      Las Vegas, Nevada 89106  
12      Attorneys for Plaintiffs  
13      (702) 369-3225

CLERK OF COURT

5  
6       Vivian A. Canele  
7  
8       DEPUTY CLERK  
9       County Courthouse  
10      200 Lewis Avenue  
11      Las Vegas, Nevada 89155

FEB 19 2015

Date

VIVIAN A. CANELA

12      NOTE: When service is by publication, add a brief statement of the object of the action.  
13      See Rules of Civil Procedure, Rule 4(b).

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